

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4207 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

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J B VAJANI

Versus

SECRETARY

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Appearance:

MR DS VASAVADA for Petitioners

MR MD PANDYA for Respondent

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 01/11/1999

ORAL JUDGEMENT

1. Having heard the learned counsel for the parties, I do not find any merits in the claim of the petitioner No.1 for grant of higher pay scale benefits from 23-6-1975. Earlier he was granted the said benefits from 1-1-1979 but thereafter this matter was reviewed as what it suggests on the direction of this court and he was given the benefit of the higher pay scale from 1-4-1977.

2. For the years 1969-70, 1972-73 and 1973-74 the adverse remarks were communicated to the petitioner and he has not filed any appeal/representation against those adverse remarks, meaning thereby he has accepted those adverse remarks. Even if the adverse remarks for the years 1966-67 and 1974-75 are excluded still on the basis of the adverse remarks for the years 1969-70, 1972-73 and 1973-74, the decision taken by the Board cannot be categorized as an arbitrary or perverse decision.

3. In the result, this special civil application fails and the same is dismissed. Rule discharged. Interim relief, if any, granted by this Court stands vacated. No order as to costs.

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